

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

MAY 27 2025

MITCHELL R. ELFERS  
CLERK

Richard Macias  
Name  
1008 Clear Creek Ct. NE  
Rio Rancho, NM 87144  
Address

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

Richard Macias, Plaintiff  
(Full Name)

CASE NO. 25cv502 LF  
(To be supplied by the Clerk)

v.

Apple Studios, Defendant(s)  
c/o Tim Cook

CIVIL RIGHTS COMPLAINT  
PURSUANT TO 42 U.S.C. §1983

## A. JURISDICTION

1) Richard Macias, is a citizen of New Mexico  
(Plaintiff) (State)  
who presently resides at 1008 Clear Creek Ct. NE  
(Mailing address or place of confinement)  
Rio Rancho, NM 87144

2) Defendant Apple Studios c/o Tim Cook is a citizen of  
(Name of first defendant)  
Cupertino, California, and is employed as  
(City, State)  
Media Entertainment Production At the time the claim(s)  
(Position and title, if any)  
alleged in this complaint arose, was this defendant acting under color of state law?  
Yes ☐ No ☒ If your answer is "Yes", briefly explain:

- 3) Defendant \_\_\_\_\_ is a citizen of \_\_\_\_\_  
(Name of second defendant)  
\_\_\_\_\_, and is employed as \_\_\_\_\_  
(City, State)  
\_\_\_\_\_. At the time the claim(s)  
( Position and title, if any)  
alleged in this complaint arose, was this defendant acting under color of state.  
Yes ☐ No ☐ If your answer is "Yes"; briefly explain:

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

## B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

Work Discrimination

Retaliation

Harassment

Wrongful demotion and termination

Disability related mistreatment

### C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.

A)(1) Count I:

*See Attached*

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

B)(1) Count II:

(2) Supporting Facts:

C)(1) Count III:

(2) Supporting Facts:

audio evidence  
EEOC right to sue

See attached (Evidence reference list)

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?

Yes ☐ No ☒ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit.

Plaintiffs: \_\_\_\_\_

Defendants: \_\_\_\_\_

b) Name of court and docket number:

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

d) Issues raised: \_\_\_\_\_

e) Approximate date of filing lawsuit: \_\_\_\_\_

f) Approximate date of disposition: \_\_\_\_\_

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☐ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

\_\_\_\_\_  
Signature of Attorney (if any)

  
\_\_\_\_\_  
Signature of Petitioner

Attorney's full address and telephone number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

Executed at \_\_\_\_\_ on \_\_\_\_\_ 20\_\_.  
(Location) (Date)

\_\_\_\_\_  
(Signature)



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Albuquerque Area Office  
500 Gold Avenue S.W., Suite 6401, PO Box  
128 Albuquerque, NM 87103  
(505) 738-6721  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/25/2025

To: Mr. Richard Macias  
1008 Clear Creek Court NE  
RIO RANCHO, NM 87144

Charge No: 543-2024-01247

EEOC Representative and email: SYBIL EDWARDS  
Federal Investigator  
[sybil.edwards@eeoc.gov](mailto:sybil.edwards@eeoc.gov)

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### **DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 543-2024-01247.

On behalf of the Commission,

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April Klug  
Area Office Director

**Cc:**

Tim Cook

lawenforcement@apple.com

Please retain this notice for your records.



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

Richard Macias, Plaintiff,

vs.

Apple Studios, c/o Tim Cook  
(lawenforcement@apple.com), Defendant.

**COMPLAINT**

Plaintiff Richard Macias brings this complaint under Title VII of the Civil Rights Act, the ADA, and related New Mexico state law, alleging discrimination, harassment, retaliation, wrongful demotion, and wrongful termination. Plaintiff received EEOC Charge No. 543-2024-01247 and was issued a Right-to-Sue Notice dated February 25, 2025.

**Summary of Claims:**

- Discrimination
- Retaliation for protected complaints
- Harassment (including sexual harassment)
- Wrongful demotion and termination
- Disability-related mistreatment

Plaintiff respectfully requests the Court allow this case to proceed and preserve the right to amend or add details as discovery and legal counsel develop.

## APPLICATION TO PROCEED IN FORMA PAUPERIS (FEE WAIVER REQUEST)

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Plaintiff requests the filing fee be waived based on financial hardship.

Attached: Signed fee waiver affidavit.

## Evidence Reference List

Plaintiff identifies the following key evidence, with the understanding that additional materials may be submitted later:

- Audio recording of termination call (Brent Morris, UPM)
- Audio recording of harassment (Heather Benson, Key)
- Text messages regarding break interruption (Heather Benson)
- Reports of internal complaints (Lisa Love, Dept. Head)
- EEOC charge and Right-to-Sue Notice
- Medical documentation of disability diagnosis (ADHD combined type)

This list is provided as an initial reference for the Court and may be supplemented as discovery and legal counsel develop.